

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
H. Daya International Co., Ltd., :

Plaintiff, :

- against- :

Do Denim LLC, et al., :

Defendants :

-----X
VICTOR MARRERO, United States District Judge.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: August 19, 2021

16 Civ. 8668 (VM)

DECISION AND ORDER

On July 27, 2021, plaintiff H. Daya International Co. Ltd. ("H. Daya") filed a letter motion seeking permission to file Dkt. No. 229 and its attached exhibits after the deadline. (See Dkt. No. 231.) H. Daya also sought permission to file a surreply. (See *id.*) On July 29, 2021, the Court granted H. Daya permission to file Dkt. No. 229 and its attachments after the deadline. (See Dkt. No. 232.) The Court did not explicitly grant H. Daya's request to file a surreply, nor did it explicitly deny the request.

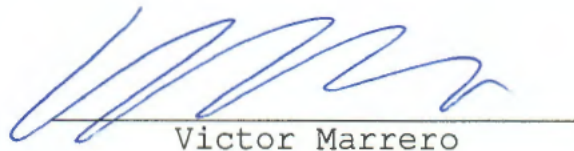
On August 13, 2021, H. Daya filed a surreply on the belief that the Court had granted its request to do so. (See Dkt. No. 235.) On August 16, 2021, defendants R. Siskind & Co., Inc. ("Siskind & Co."), Vintage Apparel Group LLC ("Vintage Apparel"), and Richard Siskind ("Siskind") (collectively, the "Siskind Defendants") filed a letter requesting the Court strike the surreply as an

unauthorized filing. (Dkt. No. 236.) H. Daya opposes that request. (Dkt. No. 237.)

Because the Court did not expressly authorize the surreply to be filed, the Court respectfully directs the Clerk of Court to strike Dkt. No. 235 from the docket but retain the summary docket text for the record. If the Court determines that a surreply is needed to address arguments that the Siskind Defendants make for the first time in their reply brief, the Court will direct H. Daya to submit its surreply at that time.

SO ORDERED.

Dated: New York, New York
19 August 2021



Victor Marrero
U.S.D.J.